IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 23RD JANUARY 2007 / 3RD MAGHA 1928

WP(C).No. 2330 of 2007(B)

PETITIONER:

M.E.S.WOMENS COLLEGE,
PAN BAZAR, TIRUR, MALAPPURAM DISTRICT,
REP. BY THE SECRETARY, MES TIRUR TALUK
COMMITTEE K.MOHAMMED SHAFI.

BY ADV. SRI.A.M.SHAFFIQUE
SRI.E.K.NANDAKUMAR
SRI.A.K.JAYASANKAR NAMBIAR
SRI.ANIL D. NAIR

RESPONDENTS:

THE ASSISTANT PROVIDENT FUND
COMMISSIONER, EMPLOYEES PROVIDENT FUND
ORGANISATION, SUB REGIONAL OFFICE,
KOZHIKODE-673 006.

BY SRI.THOMAS MATHEW NELLIMOOTTIL, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 2330 OF 2007-B

JUDGMENT

The petitioner has approached this Court, challenging Ext.P6, which is an order passed under Section 7A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952. Though, the petitioner sought an adjournment of the hearing, the same was not granted and the order was passed. It moved for recalling that order and for passing a fresh order. That motion was rejected by Ext.P8 communication. So, the petitioner challenges Ext.P8 also.

2. The learned standing counsel for the Provident Fund Organisation fairly submitted that the petitioner will be given a chance of personal hearing. In view of the said submission, Exts.P6 and P8 are quashed. The respondent is directed to pass fresh orders under Section 7A of the Act. The petitioner shall appear before the respondent for hearing at 11 a.m. On 6.2.2007. The respondent shall pass orders after affording an opportunity of being heard to the petitioner on the said date.

The Writ Petition is disposed of as above.

23rd January, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/